Forest Heath District Council

DEVELOPMENT CONTROL COMMITTEE

3 SEPTEMBER 2014

DEV14/130

Report of the Head of Planning and Regulatory Services

PLANNING APPLICATION F/13/0394/0UT – LAND WEST OF ERISWELL ROAD, LAKENHEATH

Synopsis:

Application under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT OFFICER

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Committee Report F/13/0394/OUT

Date Registered:	9 August 2013	**Expiry Date:**	10 October 2013
Case Officer:	Gareth Durrant	**Recommendation:**	Grant planning permission
Parish:	Lakenheath	**Ward:**	Lakenheath

Proposal: Erection of up to 140 dwellings

Site: Land West of Eriswell Road, Lakenheath

Applicant: Elveden Farms Ltd

Background:

This application is referred to Development Control Committee as it is a proposal for 'major' development. Furthermore the recommendation to grant planning permission is contrary to the provisions of the extant Development Plan. The proposal also raises complex planning issues of District wide importance.

The proposals are considered to comply with the relevant policies of the National Planning Policy Framework but the 'countryside' location of the site means the proposed housing development conflicts with adopted Development Plan policies.

The application is recommended for conditional approval following completion of a S106 Agreement.

Proposal:

1. The application seeks outline planning permission for the erection of up to 140 dwellings. All matters with the exception of the general location of two new vehicular accesses are reserved. The application also proposes public open space provision, new landscaping and infrastructure works (including roads, footpaths etc.).

2. During the latter parts of 2013 and early 2014 the applicants submitted further information in response to formal representations received from i) SCC Highways and ii) SCC Archaeology. These two bodies were re-consulted upon receipt of the further information, the

results of which are set out below in the 'consultations' section of the report.

Application Supporting Material:

3. The following documents were submitted to support this application:

- Forms and drawings including site location, illustrative masterplan and illustrative layout.
- Combined Planning and Design & Access Statement
- Noise Assessments
- Ecological Appraisal
- Flood Risk Assessment
- Transport Assessment
- Geo-Environmental Risk Assessment (contamination)
- Archaeological Desk Based Assessment
- Arboricultural Implications Assessment
- Landscape and Visual Impact Assessment
- Statement of Community Involvement (including copies of the display material used at public exhibition)

Site Details:

4. The site is situated to the south of Lakenheath. It is approximately 5.43 hectares in size, is presently in agricultural use (Grade 3) and has a 470-metre tree lined frontage onto the highway of Eriswell Road.

5. The application site is situated outside the settlement boundary of Lakenheath which follows the existing development on the opposite side (east) of Eriswell Road. The site is thus situated in the countryside for the purposes of applying relevant Development Plan policies.

6. The site fronts eastward onto Eriswell Road towards a row of existing semi-detached residential properties on the opposite side of the road. An attractive row of mature pine trees marks the site frontage. Some low density housing abuts the south boundary, intersected by a public footpath. The western (rear) boundary is marked by steep banking with a watercourse behind. The site of the pavilion is situated to the north of the site (set in large areas of public open space) with the bulk of the settlement and key village amenities located further north.

7. There are no landscape or heritage asset designations at the site, although the Lakenheath Conservation Area is situated approximately 500 metres to the north (at its closest point). The Environment Agency flood risk maps indicate that the majority of the site is situated within Flood Zone 1 (with little or no risk of flooding) with a small element at the rear north west corner within flood zones 2 and 3.

Planning History:

8. None relevant to the application site.

Consultations:

9. **Environment Agency – no objections –** subject to the imposition of a condition to ensure an appropriate scheme of surface water discharge is secured.

10. **Natural England – no objection -** and comments there would be no adverse impacts on nearby SSSI's is unlikely to impact upon bats and opportunities to secure biodiversity/nature/landscape enhancements (bat/bird boxes) should be pursued.

11. **Suffolk Wildlife Trust – no objection –** we are happy with the findings of the ecological survey report and request the recommendations made within the report are implemented in full, via a condition of a planning consent (should permission be granted). Appropriate ecological enhancements should be incorporated into any reserved matters submitted (in accordance with para 118 of the NPPF). Consideration should be given to the potential impacts of recreational disturbance on the Breckland Special Protection Area – further advice should be sought from Natural England in this respect.

12. **Anglian Water – no objections –** The sewerage system and waste water treatment plant (Lakenheath STW) have capacity available to accommodate waste water generated by this development. It is requested that the agreed surface water disposal strategy is secured via condition.

13. **NHS Property Services –** (amended comments February 2014) - **no objections**. No health contributions are required from the development proposals.

14. **FHDC (Environmental Health) – no objections –** subject to the imposition of conditions to ensure i) the site is adequately investigated for contamination and any contaminants remediated, ii) to mitigate the impact of noise to the development from Lakenheath airbase and from the development to existing local residents (design and layout, construction management and hours of working). With regard to aircraft noise, the service provide the following comments:

    - The main environmental issue under consideration when assessing this application is the impact of aircraft noise from Lakenheath airfield upon residential amenity at the proposed properties.

    - The noise report submitted with the application confirms that, generally, the external noise levels will be above the criteria for community annoyance published by the World Health Organisation, and internal noise levels will be above the "good" standard in British

Standard BS 8223: 1999 - Sound Insulation and Noise Reduction for Buildings – Code of Practice. The report confirms that measures can be taken to ensure that internal noise measurements meet the "reasonable" standard in BS8223.

- The application also has to be considered in the light of existing residential development, and in particular that on the eastern side of Eriswell Road, directly opposite the application site. That development, and others in the vicinity, are currently subject to a similar noise field. Hence it would seem unreasonable to recommend refusal of this application on noise grounds, but measures need to be implemented within the construction proposals to mitigate against the impact of internal noise.

15. **FHDC (Conservation) – no objections –** The application site is not adjacent to any listed buildings and is some distance south of the boundary of the Lakenheath Conservation Area.

16. **FHDC (Strategic Housing) – no objections –** request on site provision of affordable housing and provide the following comments;

- Local Plan policy CS9 states that developments of more than 10 dwellings would trigger 30% affordable units.

- 42 dwellings (30% of 140) are requested to be secured as affordable (6 no. 1-bed flats, 4 no. 1-bed bungalows, 23 no. 2-bed houses, 8 no. 3-bed houses and 2 no. 4-bed houses).

- The mix of affordable housing has been formulated using data from the current housing register figures (September 2013) whilst also having regard to data from the Strategic Housing Market Assessment.

17. **FHDC – (Leisure, Culture and Communities) – no objections** and draws attention to the public open space requirements of the adopted Supplementary Planning Document (on-site and off-site provision) which will need to be addressed at detailed design stage (reserved matters).

18. **FHDC - (Ecology, Tree and Landscape Officer) – no objections** and comments as follows;

Landscape

- A landscape and visual assessment (LVIA) has been submitted to support the application. The landscape assessment shows that the development of the site will result in the loss of agricultural land, the introduction of additional built form and the redundancy of the current urban edge formed by the pine line. The impact is assessed initially to be of moderate magnitude reducing in the long term. Visually, the greatest impacts will be experienced from Eriswell

Road and from the properties that overlook the site as a result of the change from agricultural land to the built form. The wider visual impacts are assessed to be less significant.

- The main landscape principals (and mitigation for the identified impacts) are given in the LVIA on page 3, and are set out as:

  - To retain existing high quality landscape features,
  - To retain and reinforce planting along the boundaries of the site
  - To provide a cohesive open space framework that extends the existing open space provision
  - To provide legible and permeable movement connections
  - To provide a high quality landscape setting for the proposed built development
  - To contribute to a multifunctional green infrastructure network
  - To provide ecological and amenity enhancement

- Mitigation of impacts and application of the landscape principals has been addressed in the illustrative master plan and layout. The applicant will need to further demonstrate at reserve matters stage the practical application of these principals along with the full provision of open space and the implementation of a SUDs scheme.

- Recommend that a landscape strategy is conditioned to be submitted alongside the reserved matters master plan showing how these principals have been addressed.

- Detailed soft and hard landscaping to be submitted and implemented (planning condition)

- The proposals include for the retention of the existing trees in particular the pine line feature adjacent to Eriswell Road. These trees will need to be protected through sensitive design of the site and during the construction period. A tree protection plan should be provided with the reserved matters.

SUDs

- The provision of sustainable urban drainage is integral to the open space on the site. The applicant must show that there is no double counting and that whilst it is desirable for the SUDs provision to adjoin the open space it does not form part of the open space provision.

Ecology

- Natural England has confirmed that they do not object to the proposals and that there would be no impact on statutory sites. They have further commented on the impact of the proposals on bats and are satisfied that there would be no impact so long as no trees are to be removed. The trees with potential for bat roosts have been checked against the access proposals. Trees T60, T61

and T40 are to be removed. These trees are all within bat roost category 2- trees with no obvious potential.

- The ecology report also identifies the potential for impacts on bats from lighting spillage. An Illumination plan should be submitted as part of the reserved matters application to demonstrate that the street lighting and external lighting will not spill to the Cut-off Channel.

- Impacts on reptiles have been assessed against Natural England standing advice. Mitigation for other species including bats and birds is included in the ecological appraisal and hence a condition requiring the recommendations in the ecology report be implemented in full and an implementation plan for those measures should be submitted as part of the reserved matters.

19. **Suffolk County Council (Highways – Development Management) – seek further information** – as follows;

- The main road at the point of the two new proposed accesses has increased traffic speeds. Therefore it would be beneficial for village entry treatments and traffic calming to be installed to reduce vehicle speeds on the main road adjacent to the new accesses.

- I require more detailed information in the transport assessment on traffic destination preferably linked to the census data.

- I require more information in particular to the junction on the A1065.

- With regard to the internal layout, it is not desirable to locate internal access roads so close to the main access road junction with the main road. These should be placed further away from the main junctions and/or block these roads off from exiting near to the junction.

- The internal roads are very linear and may lead to higher than desired vehicle speeds. The introduction of curves and off-set junctions may be beneficial here.

- I also require a sensitivity test with all growth from the local plan.

20. **Suffolk County Council (Highways – Development Management)** following receipt of additional information to address matters set out in the above paragraph – **no objections** –subject to conditions regarding;

- Provision of the access,

- Details of bin/refuse storage areas,

- Details of internal roads and footpaths, necessary works within the

highway and provision of a footway link on the west side of Eriswell Road (details to include layout, levels, gradients, surfacing and drainage),

- Construction of the carriageways and footpaths
- Travel plan
- Deliveries Management Plan for HGV deliveries during construction of the development.
- Details of parking and manoeuvring of vehicles, including adequate car turning space
- Visibility splays (2.4m x 43m in each direction)

21. **Suffolk County Council (Highways - Rights of Way) – No objections –** and comment as follows;

    - Restricted Byway No.22 is adjacent to the development site but does not appear to be directly affected by the proposals. As a result of anticipated increased use of public rights of way a contribution towards improvements to the network will be sought (and will be submitted via the Highways Development Management Team). Further advice is provided for the benefit of the applicant/developer.

22. **Suffolk County Council (Archaeology) – Objects –** and comments as follows;

    - The Authority comments that this large proposed lies in an area of archaeological potential as recorded in the County Historic Environment Record (HER). A desk based assessment with this application presents a summary of known archaeological remains within the vicinity of the site, which includes a Prehistoric cremation and burnt flint scatter within 250m, and finds from the Roman, Saxon and Medieval periods within 150m. This is therefore an area of high archaeological potential, in a fen-edge location that was topographically favourable for early settlement.

    - For these reasons, it is our opinion that the summary and conclusions reached by this desk based assessment are unsatisfactory. Although there are no known remains within the site itself, this large plot has not been the subject of previous systematic investigation and recording, but offers potential for the discovery of hitherto unknown important features and deposits. This proposed development would cause significant ground disturbance that has potential to damage any archaeological deposits and below ground heritage assets that exist.

    - The applicant should be required to provide for an archaeological evaluation of the site before the determination of the application, to allow for preservation in situ of any sites of national importance that

might be defined. This large area cannot be assessed or approved in our view until a full archaeological evaluation has been undertaken, and the results of this work will enable us to accurately quantify the archaeological resource.

23. **Suffolk County Council (Archaeology)** – following receipt of a preliminary programme of Archaeological assessment – raises **no objections** subject to the imposition of conditions to secure implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation. The following comments were received;

- This large proposed development (c. 5.37 ha) lies in an area of archaeological potential as recorded in the County Historic Environment Record (HER). Field evaluation in November 2013 confirmed the presence of heritage assets of archaeological interest at the site including pits, ditches, palaeochannels associated with Prehistoric worked flints and areas of buried soil.

- This preliminary programme of Archaeological assessment has adequately demonstrated that there are no grounds to consider refusal of permission in order to achieve preservation in situ of any nationally important below ground heritage assets. However, the character and extent of these assets requires closer definition. Therefore, in accordance with the National Planning Policy Framework (Paragraph 141), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

24. **Suffolk County Council (Strategic Planning)** (amended comments January 2014) **–** provide the following comments:

- Forest Heath is currently undertaking a Single Issue Review looking at housing numbers and distribution across the district. In this connection we will greatly welcome the early conclusion of this review to enable a proper plan-led approach to development with the necessary supporting infrastructure provision.

- **Education (Primary).** We need to clearly understand the outcome of the Single Issue Review in terms of housing numbers allocated to Lakenheath for future growth. This is critical in terms of shaping our future primary school strategy for Lakenheath. With further planned housing growth in Lakenheath over the plan period to 2031 the only sensible outcome will be to provide a second new 315 place primary school (free site of 2 hectares and build costs funded by developers).

- The existing primary school at Lakenheath has recently been expanded to 315 places to take account of the move from 3 to 2 tiers as well as dealing with latent population growth. Whilst the preference would be to expand the existing primary school to

provide additional classrooms with facilities the site constraints mean that this is not a realistic or feasible option. With latent population growth and further housing growth planned at Lakenheath the emerging education strategy is to deliver a new 315 place primary school.

- The cost of providing a new primary school is £17,778 for each school place. It is forecast that this development would generate 35 primary school places. The contribution to be secured from this development is therefore £622,230 (35 places x £17,778 per place).

- With regard to site acquisition costs we can assume £10,000 per acre (£24,710 per hectare) which gives a total cost of £49,420 for a 2 hectare site and equates to £157 per pupil place. This gives a land contribution of 14 places x £157 per place = £5,495.

- Paragraph 4.14 in the 'Planning, Access & Design Statement' is accurate in terms of reflecting the Infrastructure & Environmental Capacity Assessment in 2009, but clearly this is now at least 4 years out of date. The local primary school in Lakenheath is now under significant pressure and there are no surplus places available and the school also sits on a constrained site so further classroom expansion is problematic. Lakenheath Primary School is physically unable to take on the additional pupils from the development. It is already below the minimum area guidelines for a 315 place school with a distinct lack of playing fields. Against planned housing growth we consider that the only practical option is to secure a new school site upon which to deliver a new primary school.

- In view of the above issues we consider that it is critical to fully consult with the Head teacher, School Governors and the local community before any decisions are made on this application. The existing village primary is a full capacity. Therefore a full contribution to provide additional facilities for the 35 pupils arising from the proposed development will be required at a total cost of £426,335

- We would welcome clarification regarding future housing growth for Lakenheath.

- **Education (Pre-school provision)**. It is the responsibility of SCC to ensure that there is sufficient local provision under the Childcare Act 2006. Section 7 of the Childcare Act sets out a duty to secure free early years provision for pre-school children of a prescribed age. From these development proposals up to 14 pre-school pupils are anticipated at a cost of £6,091 per place. In Lakenheath census data shows there is an existing shortfall of places in the area. A capital contribution of £85,274 is requested.

- Lakenheath has three early years providers but two of these are day nurseries so not all of the places can be used for early years

Two for the providers have no spaces remaining and the other only limited spaces – no child can take their 15 hours. According to census data there are 87 (no) 3 and 4 year olds and 63 (no.) 2 year olds. There is an existing local deficit and further housing growth will place existing infrastructure under greater pressure (this warranting the developer contribution).

- **Play space provision.** Consideration will need to be given to adequate play space provision.

- **Libraries**. A capital contribution of £30,240 to be used towards libraries is requested. The contribution would be available to spend in Lakenheath.

- **Waste**. A waste minimisation and recycling strategy needs to be agreed and implemented by planning conditions

- **Supported Housing**. Supported Housing provision, including Extra Care/Very Sheltered Housing providing accommodation for those in need of care, including the elderly and people with learning disabilities, may need to be considered as part of the overall affordable housing requirement. We would also encourage all homes to be built to 'Lifetime Homes' standards.

- **Sustainable Drainage Systems**. In the interim, developers are urged to utilise sustainable drainage systems (SuDS) wherever possible, with the aim of reducing flood risk to surrounding areas, improving water quality entering rivers and also providing biodiversity and amenity benefits. Under certain circumstances the County Council may consider adopting SuDS ahead of October 2013 and if this is the case would expect the cost of ongoing maintenance to be part of the Section 106 negotiation.

- **Fire Service**. Any fire hydrant issues will need to be covered by appropriate planning conditions. We would strongly recommend the installation of automatic fire sprinklers.

- **High-speed broadband.** SCC would recommend that all development is equipped with high speed broadband (fibre optic).

25. **Suffolk County Council (Strategic Planning)** submitted a **'holding objection'** and further interim comments in May 2014. The following comments were received at that time;

- I previously provided a comprehensive response by way of letter dated 23 January 2014 which the Development Control Committee will need to consider in due course. However this letter provides further clarification of the county council's position.

- This letter raises further issues for Forest Heath to consider in terms of important matters relating to primary school provision for Lakenheath and should be reported to the Development Control

Committee. The position at Lakenheath in terms of education is different from other settlements across the district in that, at this point in time, whilst there is a clear strategy, i.e. there is an agreed need for a new primary school, no site has been secured yet and temporary classroom provision is difficult due to the site constraints of the existing primary school. Furthermore, the county council is aware of previous draft development plan documents indicating the level of further growth for Lakenheath.

- The Forest Heath Core Strategy Development Plan Document was adopted in May 2010 and includes Policy CS13 Infrastructure and Developer Contributions. However we are very concerned that, ahead of the conclusion of the Single Issue Review and Site Allocations, which will address housing numbers and distribution across the district, there may well be no plan-led approach which could result in development not having the necessary supporting infrastructure provision. In particular it is widely accepted that Lakenheath needs a new primary school to support growth but at this point in time a suitable site for a new primary school has not been identified or secured. A minimum site size of 2 hectares will need to be identified, reserved and secured within Lakenheath to serve the community's needs. However, it would only be reasonable to develop such a school if there were greater certainty of additional houses anticipated in Lakenheath in the plan period. The ideal process would be for the county council to work closely with the district council through the Site Allocations process to identify a suitable site for a new primary school provided that the overall housing growth justified that.

- Whilst we are encouraged that this development has agreed to make proportionate contributions towards land and build costs for the new primary school, the real problem that the county council faces is that without a school site being identified and secured, some of the children arising from this development or in Lakenheath generally may not be able to secure a place at their existing local primary school. In this scenario the county council may be forced into a position of sending local primary age children by bus or taxi to other schools in the area. The assumed current annual cost for taking one child to and from school is about £850. As you are aware the existing primary school at Lakenheath has recently been expanded to 315 places to take account of the move from 3 to 2 tiers as well as dealing with latent population growth. Whilst the preference would be to expand the existing primary school to provide additional classrooms with facilities the site constraints mean that this is not a realistic or feasible option.

- In the circumstances, we consider that the Development Control Committee needs to be taking into account the very real sustainability issues that may arise of some local children not being able to secure a place in the short term at the existing primary school if further housing growth at Lakenheath is approved before a new primary school site is secured. The county council would not

object to this proposal if it were to be part of a planned series of developments at Lakenheath (including the allocation of a new school site), provided that adequate funding was secured to provide an appropriate contribution to school buildings and site and the necessary additional travel costs pending construction of a school. However there is no certainty about the scale or location of growth at the moment. Furthermore there is new information that there are a number of other planning applications which have been submitted in Lakenheath in the recent past and there is a need to be able to consider these matters as a whole. Accordingly the county council submits a holding objection in respect of this proposal pending further consideration of how the education matters can be resolved in the absence of a Site Allocations document. The county council is keen to continue discussions with the district council to examine this matter in order to agree a project plan for delivery of the new school.

26. **Suffolk County Council (Strategic Planning)** – further representations received 8th August 2014) **removing their holding objection** to the planning application. The following comments were received;

- Continued uncertainty about the scale and location of growth in Lakenheath in the absence of a site allocation document and the relatively recent removal from consideration of the possible site on the Elveden Estates land for 750 dwellings which included a primary school site has presented considerable difficulty for the county council in determining how the appropriate education strategy for Lakenheath can now be delivered i.e. where can an alternative school site be located to best serve the local community. This has been compounded by the recent decision by the US authorities to relinquish housing at Lord's Walk in Eriswell and release these houses back into civilian use, thereby potentially adding greater numbers of school children to the existing upward trends. The existing primary school site in the village is almost at capacity and it is clear that the constrained nature of the site does not allow this to be used as a long term solution for additional accommodation requirements.

- There are two areas of uncertainty – the permanent location of any new school site and meeting short term needs pending the construction and opening of a new school. On the permanent location of a new school, which is likely to be 1.5 forms of entry (315 places) but could be up to 2 forms of entry (420 pupils) and requiring a minimum of 2 hectares of land, the county council has commissioned its consultants, Concertus, to identify options for possible sites. Concertus has so far identified a number of possibilities, but these have yet to be carefully tested. A number of uncertainties remain:

  - The size and configuration of the sites in relation to the school requirements;

- Whether the sites are likely to be available in the next couple of years;

- Their relationship to access and services;

- Environmental, flooding, aircraft noise and other constraints on the site;

- Their location within the village in relation to the spread of development identified in any site allocation document proposed by the district council and, if it is to accommodate children from Lord's Walk, its distance from that site.

- Whether the sites offered come as part of a wider planning proposal and what the view of the district council is of the likely acceptability of such a scheme.

- Furthermore, there is the uncertainty about the willingness of the landowners to release their sites and the question of whether compulsory purchase procedures will be needed.

- An assessment of highway impacts on the village, both in terms of the new school site location but also from cumulative impacts from village-wide development.

- All of this means that it is not possible at this point for the county council to be clear about which site, if any, might be suitable for development and exactly when it would be deliverable. Furthermore, the pace at which this work has had to be done militates against effective engagement with the local community.

- In the short term, the capacity of the existing primary school will be exceeded in the next year or so and temporary arrangements will need to be put in place to accommodate additional children. This will be driven in part, if not wholly, by any housing schemes granted permission in the village. It is not clear that a plan can be developed that will allow for temporary accommodation on the existing constrained site, pending completion of the new school. If not, then school children will need to be transported to schools in surrounding villages or towns, which in themselves may well require temporary extensions. Clearly, for an uncertain period of time, this could result in an unsustainable pattern of school provision.

- It is recognised that the district council faces an issue about identifying adequate housing land. The county council considers that it is a matter for the district council to balance the needs for the release of new housing sites with the risks associated with the emergence of a possibly unsustainable pattern of school provision. In this context, it removes the holding objection previously registered and leaves it to the district council to draw the planning balance considering these and all other relevant matters.

- If the district council considers that it should approve the planning application, this should be on the basis that sufficient funding is made available for a proportionate share of the costs of the school site (possibly at residential value), the school building costs and the costs of the temporary classrooms at an existing primary school and/or the costs of school transport pending the construction of a permanent school. This would be in addition to the costs of other infrastructure as identified in our earlier correspondence.

- On this basis we would request the following updated contributions in respect of education mitigation from this particular scheme of 67 dwellings, namely:

    1. Based on the methodology set out in the adopted Developers Guide we estimate that a minimum of 35 primary age children will arise from a scheme of 140 dwellings.

    2. The pro-rata contribution towards the full build cost of a new school is £622,230 (2014/15 costs).

    3. The pro-rata contribution towards the acquisition costs of a new 2 hectare site assuming a maximum residential value of £864,850 per hectare (£350,000 per acre) is £192,185. If the site is purchased on the basis of a lower value then the county council will credit the difference back to the developer.

    4. Temporary classroom costs if required. The cost to purchase a single temporary classroom with toilet and accessible toilet is currently estimated to be £106,000, the cost of which would need to be secured from this development on a pro-rata basis.

    5. The annual transport cost per pupil if required is assumed to be £750 (2014/15 costs).

27. **Suffolk County Council (Suffolk Fire and Rescue Service) – no objections** – Requests adequate provision of fire hydrants (to be secured by condition) and provides advisory comments for the benefit of the applicant/developer (access for fire engines, water supply and use of sprinkler systems in new development).

Representations:

28. **Lakenheath Parish Council** (September 2013) **– no objections -** in principle but express some concerns –

    - It was resolved that Lakenheath Parish Council agree in principle with the application subject to the following points to be clarified and conditions to be set. Further, the Parish Council will want sewerage capacity (a problem already acknowledged by Forest Heath District Council) increased before any such development is begun.

- Eriswell Road is one of the main roads into the village, any development should set a high standard of design and should incorporate as many ecological/carbon neutral footprints as possible. The Parish Council want this to be a development of which the village can be proud. It is not clear if there is provision for a pavement, and, very importantly l). It is not at all clear where (refuse) bins are to be stored/placed.

- The proposed density of housing is of great concern to the Parish Council. The number of dwellings should be limited to 90, thereby making it more sustainable and in keeping with a rural setting.

- It is considered that the development is likely to have an adverse impact on the highway (it had already been noted by the Parish Council that a traffic survey carried out on behalf of the developers had been put in place only after the American schools had closed for the summer holidays – any information obtained from this survey is, therefore, inaccurate) and in order to mitigate problems accessing Eriswell Road from the proposed site it is proposed by Lakenheath Parish Council that at least one of the access points should be traffic light controlled with a pelican crossing incorporated to facilitate access to the play areas.

- Flooding, on Eriswell Road, is a great concern in this area – during heavy rainfall residents along Eriswell Road experience serious flooding – SCC are aware of this – and the Parish Council have frequently asked that this problem be resolved – school children from this part of the village often arrive at school soaked through, having had cars plough through standing water. It is noted that the main water pipe is 150mm whereas in other parts of the village water pipes are 300mm. Anglian Water identify the site as of "flood risk" and have stated that flood water will pond at the bottom of the gardens (AW report 8.6.2). Although there are soakaways for each property what about other "open" areas and what will happen when the soakaways fill to the chalk level? Swales are shown on the plan – they are likely to be rather smelly in Autumn and cause the land around to be boggy. How will Undley Road be accessed?

- At least a sixth of village residents are over the age of 70 and Lakenheath, as far as new development goes, has been identified as a place in which to take up retirement, the Parish Council would, therefore wish to see a good number of bungalows on this site. It is noted that the government, too, is voicing its wish to see more bungalows being built.

- It is desirable that there should be an element of social housing, which the Parish Council are keen to see being offered to local people in the first instance.

- There appears to be no provision for a boundary between the Playing Fields and housing (e.g. risk of stray cricket balls) – there should be some provision made.

- Finally, such a sizeable development will require additional school and health provision which must be addressed in the initial stages.

29. **Lakenheath Parish Council** (February 2014) **- additional comments** following their collective consideration of current planning applications for major housing development in the village;

    - "…the PC would like independent professional advice/guidance on the way forward paid for by the proposed developers."

30. **Lakenheath Parish Council** (June 2014) – **objects** to the planning application. The following comments were provided;

    - I thank you for the opportunity of providing a new representation on this case.

    - We confirm that Lakenheath Parish Council objects to this application for now.

    - We do not at this stage wish to provide preference to any major application. This is because we believe that there are more in the pipeline as well as the ones that are being currently determined and we want them to be discussed cumulatively to shape the village for the long term future. This can be achieved using, for example, Environmental Impact Assessment screening on an area covering the whole parish of Lakenheath.

    - We would still like to see independent professional advice and guidance, funded by the developers under the terms of a planning performance agreement, to assess all the infrastructure and environmental impacts across our parish.

    - The village school, despite recent alterations and improvements, has no extra capacity. There is already a holding objection from Suffolk CC in relation to the Bennetts proposals at Briscoe Way till a new site can be identified (also to the satisfaction of the local community) to provide an additional school site. This should apply to this site too as well as any other major developments. The school will have to be in an appropriate place and a safe area for pupils to be able to walk or cycle to school.

    - Finally, the District Council should commission an independent specialist noise and vibration survey. This should include a full Environmental Impact Assessment screening as required by UK planning law, including an independent area wide study for Lakenheath on the impact of noise and vibration from ground and aerial flight path impacts. This was because each developer is using a different method and scale in their design and access reports, as well as ignoring the published flight and holding patterns connected to RAF Lakenheath.

    - We reserve our rights to make further comments when these

objections are all resolved and we are fully aware of the big picture relating to all current and future potential development applications.

- Finally we need to restate that our solicitors letter of 14th May attached to Briscoe Way (DC/13/0660/FUL) still stands and the approval of any application at this stage will result in the Parish seeking Judicial review.

31. **Ramblers Association – no objections –** Recognises that new development can result in increased use of the local footpath network and requests a developer contribution to enhance a footpath (Lakenheath Lode – FP3) which is presently in poor condition. Whilst the open views from 'Smeeth Drove' looking towards the Church and rooftops of Lakenheath will be transformed, we suggest this could be traded off against the provision of a park bench, possibly somewhere near to the site of the old Spring Hall.

32. **Lakenheath Internal Drainage Board – no objections.**

33. **Gerald Eve** (Planning Consultants) on behalf of **Bennett Plc** – **object** on the following grounds;

- Bennett have recently submitted an application on a more suitable and sustainable site in the north of Lakenheath off Briscoe Way.

- There are certain critical issues which have not been addressed.

- It would be improper to determine the planning application until the results of archaeological investigations are known.

- We question the validity of the noise assessment given it was apparently carried out when the air base was operating on a period of enforced sequestration (aircraft entering and leaving the base was far fewer than usual and not representative. A further assessment should be carried out during a period of normal base working conditions.

- The Council published the Single issue Review of Core Strategy Policy CS7 Issues and Options Stage (Reg 18) in July 2012. The accompanying, Initial Sustainability Appraisal for Question 11 concludes for Lakenheath that: "the most obvious way to mitigate aircraft noise is not to allocate land within a noise constraints zone… A large area to the South of the settlement does suffer from aircraft noise over 70dB."

- Examining the applicants' Noise Assessment Report, it states that based upon the measurement data presented within Table 3 and the noise contour presented within Appendix 4, it is evident that this noise level is exceeded across the site due to air traffic movements associated with RAF Lakenheath and Mildenhall.

- The data and rationale of the submitted noise assessment is

questioned and recommended that further information/clarification should be sought from the applicant.

- It is noted that no mitigation strategies are suggested for external noise. Enjoyment of private garden areas and public open space would be constrained by aircraft noise. Internal noise mitigation measures would be ineffective when residents open windows and doors for ventilation.

- The British Standards guidance on noise would be considerably breached.

- It is clear that national policy says the planning system should prevent new development from being adversely affected by unacceptable levels of noise pollution. The fact that there is currently residential development within the vicinity suffering from noise pollution is no reason to create further suffering by subjecting future residents to the aircraft base noise, or put more simply poor planning decisions in the past are no grounds to justify poor decisions in the present day. The proposed mitigation measures will not work outside the homes and will subject potential residents to unnecessary persistent noise pollution.

- The Noise Assessment Report concludes that noise levels experienced in the proposed development "are expected to be comparable to those experienced at existing residential dwellings within the locality" and conclude therefore that noise is not expected to pose "a significant constraint" upon the proposed development. This illogical line of argument is taken a stage further in the comments of the Council's Environmental Health Services, in which the officer raises no objection, stating that the "development, and others in the vicinity, are currently subject to a similar noise field. Hence it would seem unreasonable to recommend refusal of this application on noise grounds…" It cannot be right to suggest that development should be allowed to take place in a location which is clearly unsuitable and unsustainable, merely because there is existing development in that location. There is no support for this in planning policy terms. By analogy, development in the Green Belt is not thought acceptable merely because there is existing development in that location. In general terms, existing development in the vicinity of the application site pre-dates the current level of noise and relevant policies and standards.

- Eriswell Road forms a successful and attractive urban edge to the settlement and allowing development on its western side will destroy the large scale vista across the fenland for not only the neighbouring residents but also all the pedestrians and other road users of Eriswell Road.

- The applicants' visual impact report states in 6.2.6 that for the local residents of properties on the B1112 "most longer-distance views of the fen landscape beyond the site would be lost and would be

replaced by clear views of the proposed development, with only occasional glimpses available over and between the new development". Furthermore the report summarises in paragraph 8.1.6, the residual impacts that would remain after 15 years, and in addition to the close proximity views referred to above, it states that it would also impact on the "middle distance views, e.g. those from Undley Road, where the settlement edge of Lakenheath would appear to extend into what previously read as undeveloped countryside, a scenario that would be compounded in winter and at night through the addition of lighting." For these reasons, residential development on this highly visible and sensitive greenfield site representative of the local landscape should be resisted.

- We understand the traffic surveys were carried out only after the American schools had closed for the summer holidays, thus underestimating true background traffic levels. Pedestrian access along the pavements is problematic in wet weather conditions.

- Local opinion is not properly represented in the applicants Statement of Community Involvement.

34. **Six letters/e-mails** have been received from **Local residents objecting** to the planning application. The issues and objections raised are summarised as follows;

- Adverse impact upon the landscape (as evidenced by the applicants own report) and loss of views across open fields.

- Adverse impact upon the character of the village.

- Adverse impact upon quality of life.

- Detrimental impact upon property values.

- Traffic speeds are high along Eriswell Road, further traffic on the road will cause further traffic danger, including for pedestrians (on narrow pavements).

- Traffic congestion with traffic tailing back in the village (an existing problem with USAF personnel travelling to and from the base). New development would only increase this problem.

- There are issues with surface water on roads in the area.

- Foul sewage drains are working to capacity (and have not been improved in years).

- Access into the site will necessitate the felling of some trees.

- The local infrastructure is inadequate and will not be able to absorb the new development (schooling, doctors, shops etc.).

- Increased likelihood of petty crime and anti-social behaviour in the village.

- The proposals will be of no benefit to local people.

- Adverse impacts from aircraft noise and implications of potential incidents at the base (to the proposed development and other development planned in this part of the village).

- Noise measurements were taken during a period of reduced flights.

- Village facilities are relatively distant from the site (e.g. residents will rely on their cars to access the site planned for a new Tesco store thus adding to village traffic congestion).

- Facilities in the village are limited (i.e. the doctor's surgery always seems to be full and shopping has its limitations).

- Potential adverse impact upon ecology.

- There is no need for the additional houses.

- There is so much natural beauty around the areas of the proposed development – it would be a tragedy for this to be built upon. Once it has happened it cannot be undone.

Policy:

35. The Development Plan comprises the policies set out in the Core Strategy Development Plan Document adopted May 2010 and the saved policies of the Forest Heath Local Plan adopted 1995 and which have not been replaced by Core Strategy policies. The following policies are applicable to the proposal:

Core Strategy

36. The Core Strategy was the subject of a successful legal challenge following adoption. Various parts of the plan were affected by the High Court decision, with Policies CS1 CS7 and CS13 being partially quashed (sections deleted) and section 3.6 deleted in its entirety. Reference is made to the following Core Strategy policies, in their rationalised form.

Visions
- **Vision 1** – Forest Heath
- **Vision 5** – Lakenheath

Spatial Objectives
- **Spatial Objective H1** – Housing provision
- **Spatial Objective H2** – Housing mix and design standard
- **Spatial Objective H3** – Suitable housing and facilities (life time homes)

- **Spatial Objective C1** – Retention and enhancement of key community facilities.
- **Spatial Objective C2** – Provision and maintenance of open space, play & sports facilities and access to the countryside.
- **Spatial Objective C4** – Historic built environment.
- **Spatial Objective ENV1** – Habitats and landscapes and improving biodiversity.
- **Spatial Objective ENV2** – Climate change and reduction of carbon emissions.
- **Spatial Objective ENV3** – Promotion of renewable energy and energy efficiency.
- **Spatial Objective ENV4** – Design and architectural quality respecting local distinctiveness.
- **Spatial Objective ENV5** - Designing out crime and anti-social behavior
- **Spatial Objective ENV6** – Reduction of waste to landfill.
- **Spatial Objective ENV7** – Achieve sustainable communities by ensuring services and infrastructure are commensurate with new development.
- **Spatial Objective T1** – Location of new development where there are opportunities for sustainable travel.

Policies

- **Policy CS1** – Spatial Strategy
- **Policy CS2** – Natural Environment
- **Policy CS3** – Landscape Character and the Historic Environment
- **Policy CS4** – Reduce Emissions, Mitigate and Adapt to future Climate Change.
- **Policy CS5** – Design Quality and Local Distinctiveness
- **Policy CS6** – Sustainable Economic Development and Tourism
- **Policy CS7** – Overall Housing Provision (Sub-paragraph 1 only. Sub paragraphs 2, 3, 4 and 5 were quashed by the High Court Order)
- **Policy CS9** – Affordable Housing Provision
- **Policy CS10** – Sustainable Rural Communities
- **Policy CS13** – Infrastructure and Developer Contributions

Local Plan

A list of extant saved policies is provided at Appendix A of the adopted Core Strategy (2010)

- **Policy 4.15** – Windfall Sites – Villages
- **Policy 9.1** – The rural area and new development
- **Policy 9.2 –** Criteria to be applied when considering new development in the rural area.
- **Policy 10.2** - Outdoor Playing Space (new provision)
- **Policy 10.3** – Outdoor Playing Space (as part of new development proposals)
- **Policy 14.1** – Securing Infrastructure and Community Facilities from Major New Developments.
- **Inset Map 12** (Lakenheath Development Boundary)

Other Planning Policy:

Supplementary Planning Documents

37. The following Supplementary Planning Documents are relevant to this planning application:

- Joint Affordable Housing Supplementary Planning Document (September 2013)
- Open Space, Sport and Recreation Supplementary Planning Document (August 2011)
- Suffolk Advisory Parking Standards (2002)

Emerging Development Plan Policy

38. The Council is currently finalising the details of two Development Plan Documents (Single Issue Review of the Core Strategy and Site Allocations Document) and both will soon be placed on public consultation before submission for examination and, ultimately, adoption.

39. Forest Heath District and St Edmundsbury Borough Council's have prepared a 'Joint Development Management Policies Document' (currently with 'submission' status, October 2012). The Document was submitted to the Planning Inspectorate in December 2013 following public consultation and has been the subject of examination (July 22-25 2014). The outcome of the examination is presently awaited.

40. With regard to emerging plans, The National Planning Policy Framework (the Framework) advises (at Annex 1) from the day of publication, decision-takers may give weight to relevant policies emerging plans (unless material indications indicate otherwise) according to:

41. The stage of preparation of the emerging plan (the more advanced the preparation, the greater weight that may be given)

42. The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater weight that may be given); and

43. The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework, the greater weight that may be given.

44. The emerging Single Issue Review and Site Allocations documents have not been published for public consultation so can be attributed on very little weight in this decision given the significant uncertainties that surround the final content of these documents. Members should note that, for the purposes of public consultation for the Site

Allocations Document, the application site is actually a 'preferred site' (i.e. not excluded at this stage). However, this initial draft 'allocation' should not be attributed significant weight given current uncertainties as to whether the site will actually be included in any later draft of the Plan that is submitted to the Planning Inspectorate for examination. The Development Management Policies document has been published, has been the subject of public consultation and formally submitted for examination. Accordingly some weight can be attributed to this plan in the decision making process.

45. Objections have been received to the vast majority of the policies set out in the policies document which, according to the guidance, reduces the weight which can be attributed to them. The policies have been reviewed but none are considered determinative to the outcome of this planning application so reference is not included in the officer assessment below.

46. The following emerging policies from the document are relevant to the planning application;

- DM1 – Presumption in Favour of Sustainable Development
- DM2 - Creating Places – Development Principles and Local Distinctiveness
- DM3 – Masterplans
- DM4 – Development Briefs
- DM5 – Development in the Countryside
- DM6 – Flooding and Sustainable Drainage
- DM7 – Sustainable Design and Construction
- DM8 – Improving Energy Efficiency and Reducing Carbon Dioxide Emissions
- DM11 – Impact of Development on Sites of Biodiversity and Geodiversity Interest
- DM12 – Protected Species
- DM13 – Mitigation, Enhancement, Management and Monitoring of Biodiversity
- DM14 – Landscape Features
- DM15 – Safeguarding from Hazards
- DM18 – Conservation Areas
- DM21 – Archaeology
- DM23 – Residential Design
- DM28 – Housing in the Countryside
- DM41 – Community Facilities and Services
- DM42 – Open Space, Sport and Recreation Facilities
- DM45 – Transport Assessment and Travel Plans
- DM46 – Parking Standards

<u>National Policy and Guidance</u>

47. The National Planning Policy Framework (the Framework) sets out government's planning policies for England and how these are expected to be applied.

48. Paragraph 14 of the Framework identifies the principle objective:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and

- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole;

  - or specific policies in this framework indicate development should be restricted."

49. This presumption in favour of sustainable development is further reinforced by advice relating to decision-taking. Paragraph 186 of the Framework requires Local Planning Authorities to "approach decision taking in a positive way to foster the delivery of sustainable development". Paragraph 187 states that Local Planning Authorities "should look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible".

50. The relevant policies of the Framework are discussed below in the officer comment section of this report.

51. The Government has recently (March 2014) released its National Planning Practice Guidance (NPPG) following a comprehensive exercise to review and consolidate all existing planning guidance into one accessible, web-based resource. The guidance assists with interpretation about various planning issues and advises on best practice and planning process. Relevant parts of the NPPG are discussed below in the officer comment section of this report.

Officer Comment:

52. This section of the report begins with a summary of the main legal requirements before entering into discussion about whether the development proposed by this planning application can be considered acceptable in principle in the light of extant national and local planning policies. It then goes on to analyse other relevant material planning considerations (including site specific considerations and cumulative impacts) before concluding by balancing the proposals benefits against its dis-benefits.

Legal Context

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011

53. Given the scale of development proposed, the planning application has been screened under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Council's formal Screening Opinion concluded that the proposal is not 'EIA development' and an Environmental Statement was not required to accompany the planning application.

The Conservation of Habitats and Species Regulations 2010

54. Given the location of the various designated nature sites in the vicinity (including the Breckland Special Protection Area) consideration has been given to the application of these Regulations. If a plan or project is considered likely to give rise to significant effects upon a European site, Regulation 61 requires the decision maker to make an appropriate assessment of the implications for that site before consenting the plan or project.

55. The application site is in the vicinity of designated (European) sites of nature conservation but is not within a designation or land forming a formal buffer to a designation. The Council's Environmental Impact Assessment Screening Opinion concluded that the proposals are unlikely to give rise to significant effects on the conservation objectives of the designated sites. Furthermore, the nature groups, including Natural England (the statutory advisor under the Habitations and Species Regulations) have not raised concerns or objections in response to the planning application. Officers have concluded that the requirements of Regulation 61 are not relevant to this proposal and appropriate assessment of the project will not be required in the event that the Committee resolves to grant planning permission.

Natural Environment and Rural Communities Act 2006

56. The Act places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. The potential impact of the application proposals upon biodiversity interests is discussed later in this report.

Planning and Compulsory Purchase Act 2004 (as amended)

57. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Forest Heath Development Plan is comprised of the saved policies of the Local Plan and the adopted Core Strategy (as amended by the judgement handed down by the High Court). National planning policies set out in the Framework are a key material consideration.

Planning (Listed Buildings and Conservation Areas) Act 1990

58. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;

> *In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority (LPA)… …shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*

59. Section 72(1) of the same Act states;

> *…with respect to any buildings or other land in a conservation area…special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

60. In this case there are no listed buildings at the site or close to the site (such that their settings would be affected). Similarly the development is not situated in a Conservation Area and the built form would not affect views into or out of the nearby Lakenheath Conservation Area. There is likely to be an increase in traffic using the main road through the Conservation Area following occupation of the proposed dwellings, but this is not considered to lead to significant impacts arising on the character or appearance of the Lakenheath Conservation Area.

Crime and Disorder Act 1998

61. Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998 (impact of Council functions upon crime and disorder), in the assessment of this application but the proposal does not raise any significant issues.

Principle of Development

National Policy context and Forest Heath's 5-year housing supply.

62. Paragraph 47 to the Framework states that to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area (as far as is consistent with policy), including identifying key sites which are critical to the delivery of the housing strategy over the plan period.

63. In addition, the Framework requires authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five-years worth of housing against their housing requirements with an additional buffer of 5% (or a 20% buffer if there is evidence of a persistent under-delivery of new housing) to ensure choice and competition in the market for land.

64. Crucially for this planning application the following policy is set out at paragraph 49 of the Framework;

> "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites".

65. The surviving extant elements of Core Strategy policy CS7 requires the provision of 6,400 new dwellings in the period 2001 – 2021 and a further 3,700 homes in the period 2021 – 2031. As at March 2012 a total of 3,089 dwellings have been completed since 2001. In order to meet the 6,400 requirement 3,311 dwellings would need to be built to March 2021. This equates to around 367 dwellings annually or 1839 over the five-year period 2012-2017.

66. Some commentators have referred to the release of circa 550 former USAFE personnel dwellings at Lords Walk (in the Parish of Eriswell) onto the housing market as either contributing to the five year housing supply or is evidence that further new housing is not required at Lakenheath. Your Officers are in the process of verifying whether this stock of dwellings is already counted as 'existing' housing stock in the Strategic Housing Market Assessment or whether it would contribute towards the five year supply of new housing in the District as it is released in stages onto the open market. Members will be updated of the outcome at the meeting.

67. It is acknowledged that the Council is currently not able to demonstrate a 5-year supply of deliverable housing sites (the supply was recorded at 3.6 years at March 2012 (or 3.4 years with the 5% buffer required by the Framework) and there is little evidence of a significant recovery over the period since. Indeed the National Planning Practice Guidance confirms that any shortfall in the supply of housing should be made up as soon as possible (i.e. within the 5 year period). This means the adjusted (true) 5-year housing supply in Forest Heath (as at March 2012) drops to approximately 3.15 years.

68. In the light of the Council not being able to demonstrate a 5-year supply of housing any extant Development Plan policies which affect the supply of housing must be regarded by the decision maker as out of date. This includes the 'settlement boundaries' illustrated on the Inset maps attached to the Local Plan (Inset Map 5 for Lakenheath) and Development Plan policies which seek to restrict (prevent) housing developments in principle. Such policies are rendered out of date and therefore carry reduced weight in the decision making process.

69. In circumstances where a Council is not able to demonstrate a 5-year supply of deliverable housing sites, planning applications for new housing development essentially fall to be considered against the provisions of the Framework and any Development Plan policies which

do not relate to the supply of housing. The Framework places a strong presumption in favour of sustainable development and where Development Plans are silent or out of date confirms that planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate development should be restricted.

70. Since the Framework was introduced there have been numerous examples nationally (including some in the Forest Heath District) where planning permission has been granted at appeal for new housing developments contrary to the Development Plan because the need for housing to be delivered was considered to outweigh identified negative effects.

71. The absence of a five year supply of land lends significant weight in support of granting planning permission for these development proposals, not least given the Government's aim to boost the supply of housing and to stimulate the economy. However, whilst the various appeal decisions provide useful guidance, the fundamental planning principle that each case is to be considered on its own merits prevails.

72. The Framework (advice set out at paragraph 14 of the document in particular) does not equate to a blanket approval for residential development in locations that would otherwise conflict with Local Plan policies. If the adverse impacts of the proposal (such as harm to the intrinsic character and beauty of the countryside) significantly and demonstrably outweigh the benefits, then planning permission should still be refused, even in areas without a 5-year supply of housing (as occurred at the recent Kentford appeal case where a proposal for 102 dwellings was dismissed by the Inspector (reference F/2012/0766/OUT and APP/H3510/A/13/2197077).

<u>What is sustainable development?</u>

73. The policies in paragraphs 18 to 219 of the Framework, taken as a whole, constitute the Government's view of what sustainable development means in practice for the planning system. It goes on to explain there are three dimensions to sustainable development:

    i) economic (contributing to building a strong, responsive and competitive economy),

    ii) social (supporting strong, vibrant and healthy communities) and,

    iii) environmental (contributing to protecting and enhancing our natural, built and historic environment;)

74. The Framework explains (paragraph 9) that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. It is Government policy that the planning system should play

an active role in guiding development to sustainable solutions.

75. Paragraph 9 of the Framework further explains that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure; and
- widening the choice of high quality homes.

Prematurity

76. The Council is shortly to consult on a 'Single Issue Review' of the Core Strategy (housing distribution) prior to submission for Examination. At the same time it will begin the formal process of preparing a Site Allocations Development Plan document both of which will subsequently form part of the Development Plan. Concerns have been raised locally that approval of this planning application would be premature and its consideration should await the formation (adoption) by the Council of an appropriate Local Policy Framework.

77. The NPPF does not address 'prematurity' directly, but advice about the approach the decision maker should take is set out in the National Planning Practice Guide. It states:

78. Annex 1 of the National Planning Policy Framework explains how weight may be given to policies in emerging plans. However in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and

(b) the emerging plan is at an advanced stage but is not yet formally

part of the development plan for the area.

79. Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

80. In this case the development proposal for (up to) 140 dwellings is not particularly substantial in comparison to the overall quantum of development to be provided over the Plan period. Furthermore, the emerging Single Issue Review of the Core Strategy is in its infancy and carries limited, if any, weight in the decision making process (given that it has not yet been published for consultation).

81. It would be difficult to justify any decision that approval of this scheme would be premature in the context of current guidance. This advice is further re-enforced by the fact that the Council has a significant shortage in its five year land supply, is already 13 years into the Plan period (2001 – 2031) and the proposed development would contribute towards the overall number of dwellings required by Core Strategy Policy CS7.

82. On the basis of national guidance on the issue of prematurity and relevant national policies providing for the delivery of sustainable development without delay, officers do not consider it would be reasonable to object to the planning application on the grounds of it being premature to the Development Plan.

Development Plan policy context

83. Vision 1 of the Core Strategy confirms development will be focussed in the towns and key service centres. Vision 5 (and policy CS1) confirms Lakenheath as a key service centre. Spatial Objective H1 seeks to provide sufficient homes in the most sustainable locations to meet the needs of communities. Policy CS10 confirms the Towns and Key Service Centres will be the focus of new development (providing service to surrounding rural areas). Saved Local Plan Policy 4.15 states new housing development will be in the defined development boundaries and, at (inter alia) Lakenheath, new estate development may be appropriate on allocated sites.

84. The surviving elements of Core Strategy policy CS7 provides for 11,100 dwellings and associated infrastructure in the plan period (2001 – 2031) and confirms development will be phased to ensure appropriate infrastructure is provided. Policy CS13 confirms the release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements from development.

85. Policy CS1 states (in Lakenheath) commercial uses such as shops or offices will be expected to be allocated within any major residential development near the High Street and that sites for 70 new dwellings will be allocated within the existing development boundary. A further part of the policy which confirmed greenfield urban extension sites would be allocated for at least 600 dwellings was quashed by the High Court decision and carries no weight in determining this planning application.

86. Core Strategy policy CS6 states that economic and tourism growth at Lakenheath will be in broad alignment with the scale of housing development to discourage commuting and achieve a homes / jobs balance.

Officer comment on the principle of development

87. The absence of a 5-year housing supply in the District means that Development Plan policies which seek to restrict the supply of housing (i.e. those discussed at paragraphs 68-71 above) are deemed out-of-date by the Framework and thus currently carry reduced weight in the decision making process. This means the planning application proposals must, as a starting point, be considered acceptable 'in principle'.

88. A key determining factor will be whether the proposed development can be deemed 'sustainable' in the context of the policies contained in the Framework (as a whole) and even if it is concluded the proposals would not be 'unsustainable' following analysis, further consideration must be given to whether the benefits of development are considered to outweigh its dis-benefits, as required by the Framework.

89. A balancing analysis is carried out towards the end of this section of the report as part of concluding comments. An officer discussion to assist with Members consideration of whether the development proposed by this planning application is 'sustainable' development is set out below on an issue by issue basis.

Impact upon the countryside

90. The Framework confirms the planning system should (inter alia) protect and enhance 'valued landscapes' and promotes development of previously used land but other than continuing protection of formal Greenbelt designations (of which there are none in Forest Heath) and recognising the hierarchy of graded agricultural land, national policy stops short of seeking to protect the 'countryside' from new development in a general sense.

91. Vision 5 of the Core Strategy recognises the fen and heathland qualities of the countryside surrounding Lakenheath and seeks to protect and enhance these landscapes. Some elements of the countryside surrounding Lakenheath could therefore be viewed as being 'valued landscapes' as cited in the Framework, albeit these are

not protected by a local 'Special Landscape Area' designation which weakens that potential significantly.

92. Core Strategy Policies CS2 and CS3 seek to protect, conserve and (where possible) enhance the quality, character and local distinctiveness of the landscape and refers to the Forest Heath Landscape Character Assessment to inform detailed assessment of individual proposals.

93. The applicants have submitted a Landscape and Visual Impact Assessment with the planning application. This reaches the following conclusions:

- The proposed development would have no effect on the Lakenheath Conservation Area, and any effects on the Maidscross LNR, listed buildings and public rights of way would be limited to minor changes in visual quality.

- The Suffolk Landscape Character Assessment notes that the Settled Chalklands character type, in which the site is located, are a continuing focus for settlement, and that appropriate planting can be used to minimise the impact of settlement expansion on the surroundings. The proposed scheme would retain and reinforce the existing pine belt and opportunities explored to create a similar feature along the western edge. In addition, significant area of new native trees and shrubs would be planted so that where the development is visible from outside, it would appear set in a landscape framework, as currently occurs successfully elsewhere in Lakenheath.

- The proposed development would extend the built edge of Lakenheath westwards, but it would not compromise its separation from other settlements. It is unlikely that that it would have any effect on the sense of arrival into the village – the existing properties with their mature garden vegetation provide a break in the agricultural landscape and a gateway feature.

- The Landscape Assessment shows that providing the proposed mitigation measures are implemented and correctly maintained, development of the type proposed could be accommodated without significant harm (low significance or less at year 15) to the character of the landscape.

- The visual Impact Assessment demonstrates the influence that the proposed scheme would have on views from residential and public receptors in the surrounding landscape, and how such impacts would reduce in time as the proposed mitigation works (see Section 3) become effective. Residual impacts that are likely to remain after 15 years are, in the main, as a result of:

  - close proximity views, e.g. those from properties in Eriswell Road, that would encompass clear, open views of the new

development (and associated lighting) in what was previously undeveloped agricultural landscape, albeit that views would be partly filtered by the pine belt

- the loss of attractive, long distance views over undeveloped fen land

- middle distance views, e.g. those from Undley Road, where the settlement edge of Lakenheath would appear to extend into what previously read as undeveloped countryside, a scenario that would be compounded in winter and at night through the addition of lighting

- In other views, e.g. those from the west, although clearly visible, the new development would be seen in the context of the mature vegetation framework that encompasses much of this portion of Lakenheath and which provides an attractive and distinctive break between the Brecks and the lower lying Fens.

- Visual changes with a rating of medium-high significance or greater are considered to constitute a 'significant' impact. After 15 years, such impacts would be limited to the close proximity views westwards from residential properties on Eriswell Road. The pine belt along the western side of Eriswell Road offers some buffer protection to the visual amenity of these properties. However, given the close proximity of the receptors to the scheme, there are limited options for mitigation. While these effects on residential properties are significant it is common for similar levels of effect to occur where any residential development is proposed next to existing development.

- From other viewpoints, when the proposed planting has become established and effective in providing screening and/or assimilating the new development into the surrounding landscape framework, there would be no significant change in visual quality as compared to the existing situation.

94. Lakenheath sits on the lower slopes of the chalky and sandy Maids Cross Hill on the edge of the fens.

95. The application site is agricultural land outside the Lakenheath settlement boundary and is situated in the countryside for the purposes of applying planning policies, including those set out in the Framework.

96. The proposed development for residential development in the countryside is this contrary to extant Development Plan policies which seek to direct such development to locations within defined settlement boundaries or allocated sites. As stated above, those policies which restrict the supply of housing are deemed to be out-of-date by the NPPF given the absence of a five year supply of housing sites in the District.

97. The application site is categorised as 'Settled Chalkland' by the Suffolk Landscape Character Assessment (SLCA). The Assessment recognises the presence of the two air bases are important drivers for economic activity and settlement expansion and states the Settled Chalkland landscapes are under pressure from expansion of settlements and other developments. The document considers it important to minimise the impact of development upon the countryside of the settled chalklands and landscape of the Settled Fenlands.

98. The SLCA comments, in a general sense, that the characteristic pattern of planting found in chalkland landscapes, means it is possible to design effective and locally appropriate boundary planting that will minimise the impact of settlement expansion on the surrounding landscape.

99. The development would be harmful to the character of the countryside as a matter of principle given that it would ultimately change currently undeveloped agricultural land into a developed housing estate and this would be a dis-benefit of the proposals. The Landscape and Visual Impact Assessment confirms some residual visual landscape impacts from the development would remain in circa 15 years time after new landscaping has become established and matures. Whilst this impact would be limited in its extent, it compounds the landscape harm that would occur and therefore increases the significance of the dis-benefit.

100. Whilst counting as a dis-benefit of development, the landscape impacts are not considered so significant or harmful that a refusal of planning permission is warranted on this ground alone. Instead, the harm identified will need to be considered against the benefits of development when carrying out the planning balance.

Impact upon trees

101. The application site is fronted by a line of pine trees which is a characteristic feature of the Brecks area. The trees are an attractive feature at the entrance into the village and are an important asset in the locality, softening the impact of the existing village on the countryside and marking a transition between the countryside and the urban form of the village. Officers consider it is vital that all viable trees along the frontage are retained as part of these development proposals.

102. The planning application is accompanied by arboricultural information which includes a tree survey, an arboricultural implications assessment and an arboricultural method statement. The information recommends removal of nine trees because of their declining or unsafe conditions with a further five trees removed to provide vehicular access into the development (none of the trees to be removed to make way for vehicular access have been assessed as important 'Category A High Quality' specimens).

103. The report recognises there is a high likelihood that the remainder of

trees would be retained following development given their location close to the highway frontage (but behind visibility splays required for the accesses) with opportunities to strengthen the line with new planting. Existing trees to be retained post-development would be protected during the construction phase/s by means of appropriately located fencing. These measures could be secured by condition.

104. The impact of the development upon existing trees is considered acceptable with opportunities available to enhance the stock by removing declining specimens and providing new tree planting to the front boundary as part of the landscaping proposals for the site. The most important trees along the site frontage would be retained and protected during construction. Precise details of the landscaping of the site would be considered as part of any reserved matters submission.

Sustainable transportation (accessibility) and impact upon the local highway network (highway safety).

Policy Context

105. The Framework confirms that the transport system needs to be balanced in favour of sustainable transport modes giving people a real choice about how they travel. There is, however, recognition that opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

106. It is Government policy that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable modes of transport can be maximised. However, the Framework confirms this policy needs to take account of other policies in the document, particularly in rural areas.

107. The Framework confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. It goes on to state that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised recognising that this needs to take account of policies set out elsewhere in the Framework, particularly in rural areas.

108. Core Strategy Spatial Policy T1 aims to ensure that new development is located where there are the best opportunities for sustainable travel and the least dependency on car travel. This is reflected in Policies CS12 and CS13 which confirms the District Council will work with the partners (including developers) to secure necessary transport infrastructure and sustainable transport measures and ensure that access and safety concerns are resolved in all developments.

109. The Core Strategy categorises Lakenheath as a Key Service Centre and is thus regarded as a 'sustainable' location which could support

growth. Local employment opportunities are restricted with the air base being a key provider of local employment. People living in Lakenheath, not employed at the base, are likely to need to travel to their place of work. There is a range of community facilities in the village, including a number of shops, services, a school, churches and other meeting rooms which serve to contain a number of trips within the village. The village does not have a large grocery supermarket (there is a small Co-Operative in the High Street), although planning permission is extant for a new grocery shop off the High Street, close to the village centre.

Information submitted with the planning application

110. The applicants have submitted a Transport Assessment with the planning application. The document begins by considering the baseline conditions and reviews relevant planning policy before assessing the sustainability credentials of the development. It goes on to model and assess traffic growth, trip generation and distribution and carries out a 'future year' transport assessment. The following summary and conclusions are provided at the end of the document:

Summary

- *This Transport Assessment has been prepared following consultation with Suffolk County Council as the highway authority and using the DfT Guidance on Transport Assessment.*

- *Traffic data was collected on Eriswell road using and Automatic Traffic Counter for a week in March 2013*

- *A review of the baseline traffic conditions and facilities in the local area indicates that the site is close to the Key Service Centre facilities in Lakenheath as well as bus stops providing services to other local destinations.*

- *Vehicle trip generation for the site has been established using a national trip database and distribution has been established from the traffic surveys undertaken.*

- *The proposed access junctions have been assessed in a robust scenario where 100% of the development traffic is assumed to use one access and growth has been added onto the local road network to 2018. The accesses operate well under these conditions with no capacity concerns.*

Conclusion

- *In line with the NPPF, the development provides opportunities for sustainable modes of travel, has safe and suitable access for all people, and does not result in severe transport impacts.*

- *Consequently, no reason has been found to prevent the*

development on transport grounds.

111. It is likely that potential occupiers of the dwellings proposed in this planning application would need to travel to meet their employment, retail and entertainment needs. Some of these journeys could be lengthy (non-airbase employees in particular). However, there are a range of services and facilities in the village that will prevent the need for travel to some facilities. The Local Highway Authority has requested a travel plan is submitted for approval prior to the commencement of development and thereafter implemented. This could be secured by means of planning condition. Given the village scale of Lakenheath and its isolated situation in a rural area, the development proposals are considered to accord with relevant accessibility policies in the Framework and are sustainable in transport terms.

112. The development would take vehicular access from Eriswell Road at two points. Eriswell Road is the main road leading into the village (leading to the High Street) and is also the route used to gain access towards Mildenhall and the A12.

113. The applicants have provided the additional information/clarification requested by the County Highway Authority and are prepared to undertake/fund the off-site highway works the Authority considers are necessary to make the development acceptable in highway safety terms (traffic calming in advance of the site accesses –precise details to be secured by condition). The Highway Authority has not expressed objections to the proposals (subject to these measures being secured and imposition of other conditions).

114. Access to the proposed development is considered safe and suitable and the development would not lead to significant highway safety issues or hazards. Furthermore, the proposed development would not lead to congestion of the highway network, including during am and pm peak hours.

Impact upon natural heritage

115. The Framework confirms the planning system should contribute to and enhance the natural environment by (inter alia) minimising impacts on biodiversity and providing net gains where possible. The Framework states that protection of designated sites should be commensurate with the status of the site, recognising the hierarchy of international, national and local designations. The presumption in favour of sustainable development set out at paragraph 14 of the Framework does not apply where development requires appropriate assessment under the Birds or Habitats Directives.

116. Spatial Objective ENV1 of the Core Strategy aims to conserve and enhance the habitats and landscapes of international, national and local importance and improve the rich biodiversity of the District. This objective forms the basis of Core Strategy policy CS2 which sets out in

greater detail how this objective will be implemented. Saved Local Plan policy 4.15 sets out criteria against which proposals for new housing development are considered. One of the criteria requires that such proposals are not detrimental to significant nature conservation interests.

117. As discussed above, it is concluded that the development proposals would not impact upon any European designated nature conservation sites. The presumption in favour of sustainable development set out at paragraph 14 of the Framework is therefore material to this planning application.

118. An ecological appraisal has been submitted with the planning application.

119. The appraisal sets out a range of mitigation proposals for a number of species and concludes that no further ecological surveys are required at present. Further surveys in respect of bats are recommended at Reserved Matters stage. It also confirms that detailed mitigation design should be provided at Reserved Matters application stage, based on the principles described within the report.

120. Natural England (statutory advisor under the Habitats and Species Regulations) has not raised concerns or objections in response to the proposals, including their potential impact upon the hierarchy of designated nature conservation sites and recognises the potential to secure biodiversity enhancements in the event that planning permission is granted. Natural England has been asked to comment on any potential impacts upon the designated Special Protection Area from recreational pressure from this development in isolation from and in-combination with other planned development. The RSPB and Suffolk Wildlife Trust have also been consulted for their views and their advice is also awaited. The Committee will be verbally updated at the meeting of any further advice received from these bodies. Officers do not anticipate any significant issues in this respect given the matter has not been raised by Natural England in initial comments. However, the recommendation has been drafted on a precautionary basis such that if new matters are raised requiring further assessment, the planning application would be returned to the Committee for further consideration.

121. Subject to the satisfactory resolution of the above matters, Officers are satisfied that the development proposals would not adversely affect important sites of ecological interest in the area and would not harm populations or habitats of species which are of acknowledged importance (protected or unprotected). There is no evidence to dispute the applicant's conclusions that carefully a constructed development is likely to result in net ecological gains. The delivery of the enhancement and mitigation measures set out in the Ecological Report and the submission of further information at Reserved Matters stage could be secured by means of appropriately worded planning conditions.

Impact upon built heritage

122. The Framework recognises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. When considering the impact of proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. The term 'heritage asset' used in the Framework includes designated assets such Listed buildings, Scheduled Ancient Monuments, Registered Parks and Gardens and Conservation Areas and also various undesignated assets including archaeological sites and unlisted buildings which are of local historic interest.

123. The Framework advises that LPA's should require an applicant to describe the significance of any heritage assets affected, the level of detail being proportionate to the importance of the asset and sufficient to understand the potential impact upon their significance.

124. Core Strategy Spatial Objective C4 aims to protect and enhance the Historic Environment. This objective is implemented via Policy CS3.

125. The development proposals would not impact upon any listed buildings, (including their settings) and as discussed above would have only a negligible impact upon the character and appearance of the Lakenheath Conservation Area from increased traffic movement on the main road through the designation.

126. An Archaeological Evaluation Report has been prepared on behalf of the applicants to establish whether the site might support any important archaeological remains (undesignated heritage assets). This has been submitted with the planning application. The report explains the work that carried out to investigate the archaeological potential of the site. The report confirmed the presence of heritage assets of archaeological interest at the site including pits, ditches, palaeochannels associated with Prehistoric worked flints and areas of buried soil.

127. The Archaeological Service at Suffolk County Council has been consulted of the planning application and, in light of the findings to date concluded there are no grounds to consider refusal of planning permission on archaeological grounds but confirms that further survey work will be required (post decision).

128. The development proposals would have no significant impacts upon heritage assets.

Impact upon local infrastructure (utilities)

129. The 'economic' dimension of the definition of sustainable development set out in the Framework confirms the planning system should (inter alia) identify and co-ordinate development requirements, including infrastructure. Furthermore, one of the core planning principles set out

in the document states that planning should "proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs."

130. These requirements are, however, tempered somewhat later in the document in circumstances where viability is threatening delivery of a development scheme. It confirms the costs associated with policy burdens and obligations (including infrastructure contributions) likely to be applied to development proposals should (when taking account of the normal cost of development and mitigation), provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable.

131. Core Strategy Policy CS13 sets out infrastructure requirements and developer contributions. The policy opens with the following statement:

> "The release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements arising from new development".

132. The policy lists the main areas as health and social care facilities, educational requirements, strategic transport improvements, waste water treatment capacity, energy supply (electricity), access and safety, open space, sport and recreation. The policy confirms arrangements for the provision or improvement of infrastructure will be secured by planning obligation or (where appropriate) conditions attached to planning permission to ensure infrastructure is provided at the appropriate time.

133. The policy concludes that all development will be accompanied by appropriate infrastructure to meet site specific requirements and create sustainable communities.

134. Matters pertaining to highway, education, health and open space (including sport and recreation) infrastructure are addressed later in this report. This particular section assesses the impact of the proposals upon utilities infrastructure (waste water treatment, water supply and energy supply).

Infrastructure and Environmental Capacity Appraisal

135. The provision of services and facilities within the District's settlements has been the subject of investigation and assessment through the 2009 Infrastructure and Environmental Capacity Appraisal (IECA), which has informed preparation of the Development. The IECA report (commissioned jointly with St Edmundsbury Borough Council) considers the environmental capacity of settlements in the District, and recognises the need for a mechanism to provide social, physical and environmental infrastructure to support growth. The report also considers settlement infrastructure tipping points, which are utilised to

evaluate potential impacts on infrastructure.

136. The IECA report is the most up to date evidence base of the infrastructure capacity in the District and was a key document of the recent appeal for new housing development at Kentford (referenced at paragraph 72 above).

Waste water treatment infrastructure

137. The Flood Risk Assessment submitted with the planning application confirms;

- *foul water drainage from the site can be achieved by pumping to an existing 300mm diameter public sewer located in Undley Road. Anglian Water has advised that there is spare capacity within this sewer subject to a discharge limit of 3.8 l/s.*

138. The village is served by Lakenheath Wastewater Treatment Works. IECA comments that the Water Cycle Study identifies that the location of the Treatment Works makes north and west sites preferable otherwise upgrades to the network may be required, although the Treatment Works has severely constrained headroom.

139. The IECA report refers to the Strategic Flood Risk Assessment and Water Cycle Study which identifies that up to 169 new dwellings could be provided in the village within the headroom of the Treatment Works. It does, however, identify that there are only minor constraints to upgrading the works which will need to be completed before significant new development.

140. There has not been significant development undertaken at Lakenheath since the publication of the evidence base contained in the IECA report. Accordingly, the available evidence concludes that this development in isolation is acceptable with regard to waste water infrastructure. Indeed this conclusion has been corroborated by Anglian Water the statutory sewerage undertaker which has not objected to the application and has not requested the imposition of any conditions relating to the treatment of waste water arising from the development. Anglian Water has confirmed the development capacity suggested by the IECA study has been superseded by more up-to-date and reliable survey work. This is discussed in more detail in the cumulative impacts section of this report.

Water supply

141. IECA comments that the Water Cycle Study identifies that Lakenheath has a large diameter main running along the eastern edge which should allow development, although development away from the eastern edge may require upgraded mains. It concludes that the potable water supply network should not be a major constraint to development around Lakenheath (no tipping points are identified).

Energy supply

142. The village is served by Lakenheath major substation. The IECA report states that EDF Energy has identified that the substation is operating comfortably within capacity and should not constrain growth. The report estimates that some 2,500+ new dwellings could be served from the substation which is way in excess of this proposed development.

Flood risk, drainage and pollution

143. Policies for flood risk set out in the Framework aim to steer new development to areas with the lowest probability of flooding. The Framework policies also seek to ensure that new development does not increase the risk of flooding elsewhere.

144. The Framework states that to prevent unacceptable risks from pollution and land instability, planning decisions should ensure that new development is appropriate for its location. It also confirms that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

145. Core Strategy Policy CS4 states the Council will support development proposals that avoid areas of current and future flood risk and which do not increase the risk of flooding elsewhere. The policy confirms sites for new development will be allocated in locations with the lowest risk of flooding (Environment Agency Zone 1 flood category) and will seek the implementation of Sustainable Urban Drainage Systems (SUDS) into all new development proposals, where technically feasible.

146. The majority of the application site is not in an area at a risk of flooding, but a small area towards the north-west corner is situated within Flood Zones 2 and 3 and is at risk of flooding during extreme events.

147. The Flood Risk Assessment submitted with the planning application addresses the risks of flooding to the development proposals from the adjacent channel and confirms:

- The built development will be located in Flood Zone 1 i.e. outside the 0.1% annual probability floodplain for the Cut Off Channel on the western boundary of the site;

- All proposed land use at the site is compatible for the flood risk classification of the site;

- Safe access and egress can be maintained for the lifetime of the development;

148. With regard to surface water drainage the flood risk assessment

confirms;

- The proposed surface water drainage strategy will be implemented to mimic the existing scenario. SuDS drainage techniques will be used to provide capacity, source control, water quality treatment and biodiversity;

- SuDS have been incorporated to attenuate development surface waters up to and including the 100 year plus climate change rainfall events while additionally providing water quality and bio diversity;

- Overland flows associated with an exceedance event will be directed towards an infiltration swale located on the western boundary by a series of roadside shallow swales;

- To ensure the effectiveness of the proposed drainage arrangement a robust maintenance regime will be implemented to ensure future performance of all SUDS and drainage components. This will include regular cleaning of new and existing wet infrastructure features within the site boundary.

149. The planning application is accompanied by a Preliminary Geo-Environmental Risk Assessment. This concludes the site has not been unduly impacted by former land uses (agricultural) and risk of contamination is low. The report identifies the site is not located within an Environment Agency groundwater Source Protection Zone. Furthermore, ground gases (radon) are considered to pose a low risk. The Council's Environmental Health team has requested the imposition of a condition requiring the submission of a detailed scheme of investigation into potential contamination, including measures to secure any remediation necessary.

150. The Environment Agency (risk of flooding, contamination and pollution control and drainage), Anglian Water Services (drainage and pollution control) and the Council's Environmental Health Team (contamination and pollution control) have not objected to or raised concerns about the application proposals. All have recommended the imposition of reasonable conditions upon any potential planning permission to secure appropriate mitigation.

151. The proposals are considered acceptable with regard to flood risk, surface water drainage and pollution (contaminated land and potential contamination of water supply) considerations.

Impact upon education

152. The County Council as Local Education Authority has confirmed the village school will reach its 315 place capacity in the near future and before any new pupils are likely to emerge from the development. This means that the 35 primary school aged pupils emerging from these development proposals would need to be accommodated on a temporary basis whilst a new primary school facility is built in the

village.

153. In isolation it is possible that the Local Education Authority would be able to cater for the educational needs of the 35 pupils emerging from this development whilst a new primary school facility is provided in the village, however, the cumulative impact of pupil yields emerging from other planning applications proposing significant new housing development in the village also needs to be considered. This is assessed later in this section of the report beginning at paragraph 179 below. Developer contributions to be used towards the early years (pre-school) education and for land and build costs of providing a new primary school in the village are discussed at paragraphs 204 and 205 below.

154. The County Council has confirmed there is sufficient capacity at existing secondary schools to accommodate pupil yields forecast to emerge from these development proposals.

Design and Layout

155. The Framework states the Government attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development and is indivisible from good planning. The Framework goes on to reinforce these statements by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

156. Core Strategy Spatial Objective H2 aims to provide a sufficient and appropriate mix of housing that is … designed to a high standard. Design aspirations are also included in Spatial Objectives ENV4 (high standard of design) and ENV5 (community safety and crime reduction through design). The Objectives are supported by policies CS5 and CS13 which require high quality designs which reinforce local distinctiveness and take account of the need for stronger and safer communities. Policy CS5 confirms design that does not demonstrate it has had regard to local context and fails to enhance character will not be acceptable.

157. Saved Local Plan policy 4.14 requires the layout and design of new housing developments to respect the established pattern and character of development in the locality and saved Policy 9.2 requires development proposals in rural areas to be of a high standard of layout and design.

158. The application is submitted in outline form with all matters, except means of access, reserved to a later date. Accordingly matters of design are not particularly relevant to the outcome of this planning application.

159. A design and access statement has been submitted with the planning

application to explain 'potential' design strategies that could be implemented at the outline stage. Furthermore, an illustrative masterplan drawing has been submitted which suggests a 'linear' development is one of the potential design solutions.

160. The application proposes 'up to' 140 dwellings which means the reserved Matters could be submitted for a lower number. The final number of units could be affected by a number of factors including the desired density, the preferred design solution (layout) and the mix and type of dwelling proposed (for example a 4-bed detached dwelling will accommodate a much larger plot size than a 2-bed mid terraced dwelling). The maximum gross density of the proposed development (given the 140 dwelling cap) would is just under 26 dwellings per hectare which is considered appropriate at this edge of village location.

Impact upon residential amenity

161. The protection of residential amenity is a key component of 'good design'. The Framework states (as part of its design policies) good planning should contribute positively to making places better for people. The Framework also states that planning decisions should aim to (inter alia) avoid noise from giving rise to significant adverse effects on health and quality of life as a result of new development.

162. Vision 1 of the Core Strategy seeks to provide 'a higher quality of life' for residents. Saved Local Plan policy 4.15 seeks to ensure new housing developments do not result in the loss of residential amenity.

163. The application is accompanied by a noise assessment which reaches the following conclusions:

- This assessment has been undertaken as part of the planning application for the Site and considers the suitability of the proposals in terms of the existing noise environment and the potential noise impacts experienced by future occupants of the proposed noise sensitive development once completed.

- A detailed baseline noise survey has been used to inform the assessment, this has been supplemented with available aircraft noise contour plots prepared by RAF Lakenheath and Mildenhall. The results of the noise survey have been assessed in accordance with applicable standards and guidance, and in line with the assessment requirements of Forest Heath District Council (FHDC).

- Consideration has been given to appropriate noise mitigation measures, and it has been identified that with the incorporation of appropriately specified glazing and ventilation products, a commensurate level of noise attenuation can be afforded to future residents. With the recommended noise mitigation measures in place, appropriate internal noise criteria can be achieved in the proposed internal habitable spaces.

- With appropriate attention to development layout, it is possible to minimise noise levels experienced within principal garden areas. Noise levels experienced within such areas are expected to be comparable to those experienced at existing residential dwellings within the locality and are therefore not expected to pose a significant constraint upon the Proposed Development.

164. Following completion of the public consultation period (and particularly in the light of criticisms of the noise report submitted by Gerald Eve planning consultants on behalf of Bennett Homes plc, the applicants provided additional information to supplement their noise assessment. The supplementary report reached the following conclusions:

- This report has presented appropriate responses to the noise related points raised within the submitted objection, and identifies that the approach of Forest Heath District Council is consistent and is in accordance with current British Standards.

- In particular, the following has been identified with due regard to relevant British Standards and guidance:

  - It has been identified that it is neither appropriate nor necessary to consider daytime LAFmax noise levels as suggested within the objection.

  - The proposed glazing and ventilation strategy intended to reduce internal noise levels has been demonstrated to be in accordance with current British Standards. It has been demonstrated that the ventilation requirements for the development can be achieved either by passive ventilation and openable windows for purge ventilation or through the use of mechanical ventilation.

  - The decision by FHDC with regard to allowing development in areas where noise levels are higher than the BS 8233 external noise level criteria is consistent with other applications in the vicinity of the site, which also developed under such conditions and in accordance with the guidance contained within BS 8233:2014.

  - The objection raises comments regarding the *Single Issue Review of Core Strategy Policy CS7 Issues and Options Stage*, but it is identified that this is not adopted planning policy and need not be considered.

  - It is discussed in the NPPF and the updated BS 8233 how external noise levels alone should not prohibit development of a site and that the planning decision should considered many factors in the balance, including making efficient use of land resources to ensure that housing need can be met.

- In conclusion, it is remains that noise need not be considered as a determining factor in granting planning permission for the proposed development

165. It is not anticipated that the amenities of occupiers of dwellings abutting the south boundary of the site and to the west on the opposite side of Eriswell Road would be significantly adversely affected by development such that a decision on this planning application should be influenced. The layout of the development is a reserved matter such that matters relating to overlooking, overshadowing and loss of light (etc.) to these dwellings cannot be considered at this point in the planning process. Should outline planning permission be granted for this development and Reserved Matters are subsequently submitted, the impact of the development upon the amenities of the occupiers of the nearby dwellings would be a material consideration.

166. The potential issue of the development being adversely affected by noise generated by aircraft operating at the nearby Lakenheath airbase has been adequately considered by the applicants. Furthermore, the submitted information has been reviewed by Environmental Health Officers whom have not raised objections. The proposed dwellings would be constructed in an area affected by aircraft noise which, in external areas (including garden spaces) would exceed World Health Organisation guidelines. This is considered a dis-benefit of the development. Noise from aircraft is intermittent and is dependent upon the operation and flight patterns of the air base. Aircraft at the base tend to be grounded at night such that aircraft noise ought not be an issue during the most sensitive times. The impact of aircraft noise is capable of some mitigation through design and construction. A condition could be imposed requiring precise details of noise attenuation measures to be submitted for subsequent approval (the first submission of reserved matters) and thereafter implemented in the construction.

167. Whilst the development proposals are not likely to impact upon the amenities of occupiers of existing dwellings close to the site boundaries, the future occupants of the dwellings would be subject to aircraft noise. This is considered to be a dis-benefit of the development which is to be considered when balancing the benefits with the dis-benefits when considering whether planning permission should be granted.

Loss of agricultural land

168. The Framework states where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

169. The development of agricultural land (green field sites) in the District is inevitable given the level of growth planned for by the Core Strategy to 2031. There is not a sufficient stock of available previously

developed land (brownfield land) at appropriate locations to accommodate new development in this period. Accordingly, the future development of greenfield sites is inevitable.

170. The application site is Grade 3 agricultural land (good to moderate) and whilst it is not regarded as 'poor quality' land (ref DEFRA agricultural land classifications) its loss is not considered significant. Nonetheless the development of Grade 3 agricultural land which is currently of use for agriculture is a dis-benefit of the scheme. Whilst not a matter that would justify a refusal of planning permission on its own, it is an issue to be taken into account in the overall balance of weighing the development's benefits against its dis-benefits.

Sustainable construction and operation

171. Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to include in their Local Plans "policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change".

172. The Framework confirms planning has a key role in helping shape placed to (inter alia) secure radical reductions in greenhouse gas emissions and supporting the delivery of renewable and low carbon energy. The Government places this central to the economic, social and environmental dimensions of sustainable development.

173. The document expands on this role with the following policy:

174. In determining planning applications, local planning authorities should expect new development to:

- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

175. The importance the Government placed on addressing climate change is reflected in the Core Strategy Visions (Vision 1) and Spatial Objectives (ENV2 and ENV3). Core Strategy Policies CS4 and CS5 set out requirements for sustainable construction methods. There are also emerging policies relating to sustainable construction set out in the Joint Development Management Policies document (DM2, DM7 and DM8), but these are the subject of currently unresolved objections which means the policies can be attributed only limited weight at the present time.

176. The Planning Statement refers to policies that a relevant to sustainable design and construction methods but does not go on to

explain how the policy requirements would be implemented by the development proposals. Given the outline status of the planning application (with layout and appearance reserved) there is opportunity to secure these measures at the Reserved Matters stage where the layout of the site and the design and orientation of the buildings could be influenced. A condition is recommended to this effect.

Cumulative Impacts

177. Members will note there are a number of planning applications for major housing development currently under consideration, three of which are before the Committee for decision at this meeting. Furthermore, as the Development Plan progresses and the Site Allocations Document evolves, further sites are likely to be allocated for new residential development irrespective of the outcome of these planning applications. Whilst the evidence base behind the Development Plan documents will assess potential cumulative impacts of any formal site allocations, no such assessments have been carried out with regard to the potential cumulative impacts of the current planning applications.

178. This sub-section of the officer assessment considers potential cumulative impacts upon village infrastructure of the three planning applications on this Committee agenda (references DC/13/0660/FUL, F/2013/0345/OUT and F/2013/0394/OUT).

Education

179. The three planning applications together (288 dwellings) would generate approximately 72 children of primary school age once all have been built and occupied. The existing village primary school has reached capacity and by the time the construction of these developments is underway (if all are granted and commence early) with occupations and new primary pupils emerging, the school will have filled its 315 pupil place capacity.

180. The County Council has instructed a land agent to scope the village for potentially suitable sites that may be available for a new primary school. This work is underway and the County Council is in discussion with representatives of various landowners/developers.

181. A site for a new primary school facility is yet to be secured such that the County Council cannot guarantee its provision at this point in time. Your officers consider it is likely a site will emerge either as part of work on the Site Allocations Development Plan document or in advance given that work is already underway. It is unfortunately that some children may have to leave Lakenheath in order to access a primary school place on a temporary basis as a consequence of new housing development being permitted (should a temporary solution not be found at the existing village school site) but this is not an uncommon phenomenon in Suffolk or the country as a whole.

182. The (potential) need for some pupils to travel to a school outside of Lakenheath would impact upon the sustainability credentials of the proposals and are regarded as a dis-benefit of development in advance of a new school site being found. It is important to note, however, that the County Council has confirmed school places would be available for all pupils emerging from these development proposals, even if they are all built early on and concerns have not been expressed by the Authority that educational attainment would be affected. It is your officers view (particularly in the absence of confirmed objections from the Local Education Authority) that the absence of places for children at the nearest school to the development proposals is not in itself sufficient to warrant a refusal of planning permission but the issue (both individually for this proposal and cumulatively with the other extant development proposals) needs to be considered as part of the planning balance in reaching a decision on the planning applications.

183. In weighing up the benefits and dis-benefits of development in the balancing exercise, it is important to note that the development proposals would provide proportionate funding for the erection of a new primary school. Accordingly, the applicants have done all they can possibly do (and all they have been asked to do) to mitigate the impact of their developments upon primary school provision.

Highways

184. In its most recent representations about this planning application (received 8th August – paragraph 26 above), the Strategic Planning department at Suffolk County Council has for the first time raised concerns that the highway impacts of development upon the village (both from the new school and cumulative impacts from village wide development) are uncertain. This is in the context of the Local Highway Authority raising no objections to any of the individual planning applications, subject to the imposition of conditions (please refer to paragraphs 19 and 20 above).

185. These concerns are not backed up with evidence or a considered analysis of the nature of the possible impacts (i.e. it is not clear which parts of the local highway network would be particularly vulnerable to new housing growth at Lakenheath). This matter needs to be considered further by the County Council in liaison with the applicants, but given the issue has been raised so late in the planning process (more than a year after the first of the three planning applications was registered), officers are recommending this work continues after Members have considered the three planning applications and, if a reasonable package of highway works can be demonstrated as being necessary to mitigate the likely highway impacts of these development proposals (and anticipated growth via the emerging Local Plan) the developers could be asked to make a proportionate contribution towards the package. These contributions could be secured via a S106 Agreement. The officer recommendation at the end of this report is worded to secure a strategic highway contribution should it be deemed

necessary and is adequately demonstrated.

Special Protection Area

186. The potential cumulative recreational pressure impacts of the Lakenheath housing developments upon the Special Protection Area are discussed above in the Natural Heritage sub-section of this report.

Landscape

187. Given the locations of the three proposed housing developments around Lakenheath, no cumulative landscape impacts are anticipated despite all three sites being located on the edge of the village. Lakenheath is a sizeable village and the development proposals would not represent a significant expansion to it.

Utilities

188. The potential cumulative impact of development upon the sewerage network was a concern of officers, particularly as the IECA study identified a tipping point of 169 dwellings before the Treatment Works reaches capacity. Whilst each planning application in isolation could be accommodated within this identified headroom, the three proposals in combination would clearly exceed it.

189. Anglian Water Services has not objected to any of the three planning applications and confirmed for each one there is adequate capacity within the system to accommodate the increased flows from development. Upon further questioning about potential cumulative impacts and the findings of the IECA study, Anglian Water Services has confirmed the following;

- MCert Flow Monitor was installed at the Lakenheath Water Recycling Centre on 28 October 2010 which is after the Infrastructure and Environmental Capacity Assessment (IECA) Study and the Water Cycle Study. Please note that both of these studies were high level and were utilising best available data.

- Based on the MCert flow monitor data over the past four years, it has been established that up to 1000 properties could be accommodated at the Lakenheath Water Recycling Centre. Therefore, the proposed 288 dwellings in total for the three planning applications stated in your email dated 10 July 2014 could be accommodated at the Lakenheath Water Recycling Centre.

190. In light of this explanation, which updates and supersedes evidence presented in the IECA study, officers are satisfied the development proposals would not have adverse cumulative impacts upon the sewerage infrastructure serving Lakenheath.

191. There is no evidence to suggest there would be significant cumulative impacts upon water and energy (electricity) supplies to the village

given the respective capacities identified in the IECA study.

Planning Obligations

192. The Framework repeats the tests of lawfulness for planning obligations which are derived from Regulation 122 of The Community Infrastructure Levy Regulations 2010. The tests are that planning obligations should:

- be necessary to make the development acceptable in planning terms.
- be directly related to the development, and
- be fairly and reasonably related in scale and kind to the development.

193. The Framework also states that pursuing sustainable development requires careful attention to viability and costs, such that sites should not be subject to a scale of obligations that their ability to be developed viably is threatened.

194. The Framework advises that in order to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

195. Core Strategy Spatial Objective ENV7 seeks to achieve more sustainable communities by ensuring facilities, services and infrastructure are commensurate with development. Core Strategy Policy CS13 sets out requirements for securing infrastructure and developer contributions from new developments.

196. The applicant has submitted a confidential viability report with the planning application claiming the development would not be viable with the level of S106 contributions requested. The planning application is in outline form with the number, mix and type of housing uncertain at this time. In the light of the uncertainties about the detail of the scheme that will be proposed at reserved matters stage officers have rejected the request to adjust the S106 Heads of Terms on viability grounds as being premature at this point in the planning application process and advised that it should be withdrawn from consideration.

197. The applicants have not withdrawn their viability report and are of the view it should have effect at outline planning stage. It is important that Members note viability is an important material planning consideration and cannot be disregarded unless disproved or discredited. In this case, the applicants have flagged up their concerns

that, in present market conditions and having regard to an assumed housing scheme, there is some doubt that the development would be deliverable. However, given that a detailed scheme is yet to be formed for the site and this could be as far as three years away, officers do not consider it appropriate to lower any of the S106 requirements at this stage.

198. Your officers are recommending that any review of the S106 Heads of Terms on viability grounds is effectively deferred to any later submission of Reserved Matters where development viability could be appraised more accurately and against market/economic conditions prevailing at the time. In order to achieve this, it is proposed that a clause would be inserted into the S106 Agreement providing opportunity for development viability to be considered alongside the Reserved Matters submission, should the viability concerns remain at that point.

199. Officers consider this is a reasonable solution given there would otherwise be no opportunity to consider the viability issue at reserved matters stage without the clause (other than potentially via S106B of the 1990 Act whereby a reduction in the level of affordable housing only could be secured if development is deemed unviable). The clause would allow the Council to retain an element of control over any changes (reductions) to the agreed policy compliant S106 package should development viability be demonstrated in the future.

200. With development viability deferred to the Reserved Matters stage, it is appropriate to secure a policy compliant S106 package from this development. The following developer contributions are therefore required from these proposals.

Affordable Housing

201. The Framework states that local planning authorities should use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing. It also states that policies should be set for meeting the identified need for affordable housing, although such policies should be sufficiently flexible to take account of changing market conditions.

202. Core Strategy Spatial Objective H2 seeks to provide a sufficient and appropriate mix of housing that is affordable, accessible and designed to a high standard. Core Strategy policy CS9 requires 30% of the proposed dwellings (20.1 dwellings in this case) to be 'affordable'. The policy is supported by Supplementary Planning Guidance which sets out the procedures for considering and securing affordable housing provision (including mix, tenure, viability and S106).

203. As the planning application is in outline form, it is appropriate to secure the percentage of units for affordable housing as required by policy CS9 (30% of 'up to' 140 dwellings = 'up to' 42 affordable dwellings. It is also appropriate to secure the housing mix requested

by the Strategic Housing Team as this best fits the evidence of housing need. However, it is important that an element of flexibility is added into the agreement to allow the mix to be reviewed should circumstances change (i.e. numbers of dwellings) between the granting of the outline permission and reserved matters approvals (which could be as much as 3 years apart).

Education

204. The Framework states the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It advises that Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

205. Core Strategy Policy CS13 (b) considers educational requirements as a key infrastructure requirement. The Local Education Authority (Suffolk County Council) has confirmed there is no capacity at the existing primary school to accommodate the additional pupils forecast to be resident at the proposed development and has requested a financial contribution from this development that is to be used towards the construction of as new primary school in the village. It has also confirmed a need for the development to provide a contribution to be used towards pre-school provision in the area to cater for the educational needs of pre-school children (aged 2-5) that are forecast to reside at the development. The Authority has confirmed there is no requirement for a contribution to be secured for secondary school provision. The justification for these requests for financial contributions and the amounts are set out at paragraph 24 above. These contributions would be secured via a S106 Agreement.

Public Open Space

206. The Framework confirms that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

207. Core Strategy Spatial Objective CS2 seeks to promote an improvement in the health of people in the District by maintaining and providing quality open spaces, play and sports facilities and better access to the countryside. Policy CS13 (g) considers provision of open space, sport and recreation as a key infrastructure requirement.

208. Saved Local Plan policies 10.2 and 10.3 address play space requirements and state such areas will be provided as an integral part of new residential development. It is also stated that provision will be made for a wider area than just the development site.

209. These Development Plan policies are expanded upon via the adopted Supplementary Planning Document for public open space, sport and recreation. This document sets out the requirements for on-site and

off-site provision and maintenance. The document imposes a formula based approach to calculating developer contributions from development proposals (both for on site 'in-kind' provision and off site 'cash' contributions). Accordingly, planning application for outline consent, where numbers of dwellings and the mix (no's of bedrooms) is uncertain and unsecured, it is only possible to secure the formula for calculating public open space via S106 contributions. The precise areas of land and financial contributions would be secured by the formulaic approach in the S106 Agreement at reserved matters stage.

Libraries

210. The Suffolk County Council has identified a need to provide library facilities for the occupiers of this development and has requested a capital contribution of £30,240.

Health

211. The NHS Property Services has confirmed there is sufficient capacity in the existing health infrastructure (i.e. GP surgeries) to cater for the additional demand for local services this development would generate. Accordingly, no health contribution is to be secured from the proposed development.

Summary

212. With these provisions in place, the effects of the proposal on local infrastructure, including affordable housing, open space, recreational facilities, education, and libraries would be acceptable. The proposal would comply with Core Strategy Policy CS13 by which the provision or payment is sought for services, facilities and other improvements directly related to development. The proposed planning obligations are considered to meet the CIL Regulation 22 tests set out at paragraph 196 above.

Conclusions and Planning Balance:

213. Development Plan policies relating to the supply of housing are out of date, by virtue of the fact that a five year supply of deliverable housing sites cannot be demonstrated.

214. With this background it is clear that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. There are no specific policies in the Framework which indicate that this development should be restricted. National policy should therefore be accorded great weight in the consideration of this planning application, especially the presumption in favour of sustainable development, which officers consider this proposal represents.

215. In relation to the economic role of sustainable development, the

proposal would generate direct and indirect economic benefits, as housing has an effect on economic output both in terms of construction employment and the longer term availability of housing for workers. The development would provide additional infrastructure of wider benefit – including, education provision and public open space.

216. In terms of the social role of sustainability the development would enhance the local community and provide a level of much needed market and affordable housing to meet the needs of present and future generations. The development would, on balance, result in a built environment of good quality. The proposal would rely on, and to a limited extent enhance, the accessibility of existing local services – both within Lakenheath and further afield.

217. The absence of capacity at the local primary school to cater for the pupils emerging from this development on a permanent basis is regarded as a dis-benefit of the development. The in-combination effects of this development with other planned housing developments at Lakenheath could have significant impacts upon local primary education provision and could force some pupils to leave the village to secure their primary school place. This is tempered somewhat, however, by temporary nature of the arrangement whilst a new school is built and in the absence of objections from the Local Education Authority. Furthermore, the Local Education Authority has not suggested that pupil attainment would be adversely affected by these temporary arrangements.

218. In relation to the environmental role it is self-evident that the landscape would be changed as a result of the proposal. Initially, the proposals would have a significant impact upon the local landscape given the relatively open and exposed character of the surrounding countryside (to the west in particular) although, in time (over the next 10-15 years) new planting would mature to soften the impact upon long views in the landscape. The impact upon the local landscape, particularly pubic views from Eriswell Road close to the site, would be significantly and irreversibly affected, although the retention and strengthening of the mature 'pine line' along the frontage of the site will help to soften the impact. Of significance is the fact that the site does not benefit from any specific ecological, landscape or heritage designation, unlike other expansive areas of the District, and the effect on the character of the built form of the Lakenheath settlement would be acceptable.

219. The development proposals would be impacted adversely by noise from aircraft operating from the nearby runways at the Lakenheath airbase. This is not capable of being fully mitigated and the external areas (e.g. garden spaces) would be particularly exposed to the effects of aircraft noise. Internal spaces are capable of mitigation through appropriate design and construction measures.

220. The progress of the LDF has been slow to date owing largely to the

successful challenge of the Core Strategy (CS7) in the High Court, and its future progress is uncertain, given that the Single Issue Review and Site Allocation documents have reached only the early preparatory stages in the process with public consultation yet to be carried out. In any event, there is no evidence that the proposal would be premature to or prejudice the development plan process.

221. The lack of a five year supply of deliverable housing land, combined with the historic (but not persistent) under supply of housing, is an important material consideration. To the limited extent that the evidence demonstrates material considerations against the proposal – essentially relating to the short and long term landscape effects, loss of agricultural land of good to moderate quality and adverse impacts to the new residents from aircraft noise – in your officers view the benefits of this development being realised significantly outweigh the dis-benefits) and points clearly towards the grant of planning permission in this case.

Recommendation:

222. That, subject to no concerns, objections or new material planning issues being raised by Natural England, the RSPB or the Suffolk Wildlife Trust, outline planning permission be granted subject to:

    The completion of a S106 agreement to secure:

    - Affordable housing (30% - up to 42 dwellings)
    - Education contribution (Primary School – up to £ £622,230 towards build costs and up to £192,185 towards land costs)
    - Education contribution – temporary arrangements (if subsequently deemed compliant with the CIL Regulations)
    - Pre-school contribution (up to £85,274)
    - Libraries Contribution (up to £30,240)
    - Public Open Space contribution (Formula to be included in the Agreement to secure policy complaint provision on site at reserved matters stage and appropriate off-site contributions)
    - Viability review opportunity at Reserved Matter submission stage.
    - Strategic Highway Contribution (should this be deemed compliant with CIL Regulation 122 – a proportionate contribution would be appropriate, sum to be determined)
    - SPA Recreational Impact Contribution – which may include monitoring of potential impacts from development (should this be deemed compliant with CIL Regulation 122 – sum to be determined)
    - Any further clauses considered necessary by the Head of Planning and Regulatory Services.

223. And subject to conditions, including:

    - Time limit (3 years for commencement)
    - Materials (details to be submitted with the Reserved Matters)
    - Sustainable design and construction (further details to be submitted

for approval with the Reserved Matters submission and thereafter implemented)
- Bin and cycle storage strategy (to be submitted for approval with the Reserved Matters and subsequently implemented)
- Public open space and SuDS (strategy for future management and maintenance of this infrastructure)
- Landscaping (precise details of new hard and soft landscaping)
- Retention and protection of existing trees, shrubs and hedgerows to be retained (details to be provided with the landscaping scheme at Reserved Matter stage)
- Ecology (strategy for achieving enhancements at the site)
- Any reasonable conditions requested by Natural England, the Suffolk Wildlife Trust and/or the RSPB.
- Construction management plan
- As recommended by LHA
- Contamination & remediation (further investigations and any remediation necessary)
- Means of enclosure (to be submitted with Reserved Matters)
- Noise mitigation measures.
- Fire Hydrants
- Waste minimisation and re-cycling strategy
- Details of the surface water drainage scheme (SUDS – full details to be submitted with the Reserved Matters).
- Any additional conditions considered necessary by the Head of Planning and Regulatory Services.

224. That, in the event of the Head of Planning and Regulatory Planning Services recommending alternative (reduced) Heads of Terms from those set out at paragraph 222 above, or Natural England the RSPB and/or the Suffolk Wildlife Trust raise objections concerns or substantive issues about the proposals which have not already been considered by the Committee, the planning application be returned to Committee for further consideration.

225. That in the event the applicant declines to enter into a planning obligation to secure the Heads of Terms set out at paragraph 222 above for reasons considered unreasonable by the Head of Planning and Regulatory Services, planning permission be refused for the following reasons:

i) Unsustainable form of development not mitigating its impact upon, education provision (primary and pre-school), open space, sport and recreation and libraries (contrary to the Framework and Core Strategy policy CS13 and saved Local Plan policy 10.3).

ii) If appropriate following further investigation; adverse cumulative impacts upon, the highway network and the Special Protection Area (from increased recreational pressure)

iii) Non-compliance with affordable housing policy (contrary to Core Strategy policy CS9 and supporting SPD document)

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

http://planning.stedmundsbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZZVRHHXB413

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk, IP28 7EY (or West Suffolk House details as applicable)

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